

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	R.C. Dezutter et al.	Attorney Docket No.: WEYE121573/25273
Application No.:	10/674,609	Art Unit: 1731 / Confirmation No: 4192
Filed:	September 29, 2003	Examiner: M. Halpern
Title:	METHOD FOR CONVEYING, MIXING, AND LEVELING DEWATERED PULP PRIOR TO DRYING	

RESPONSE

Seattle, Washington 98101
September 27, 2007

TO THE COMMISSIONER FOR PATENTS:

This paper is filed in response to the final Office Action mailed on July 30, 2007. Presently, Claims 1-18 are pending in the application. Of these, Claims 15-18 have been withdrawn from consideration. Claims 1-14 have been examined and stand rejected. Reconsideration of Claims 1-14 is respectfully requested.

The Rejection of Claims 1-14 Under 35 U.S.C. § 103(a)

Claims 1-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,811,879 (Dezutter) that incorporates U.S. Patent No. 6,769,119 (Vrbanac) by reference.

In rejecting the claims, the Examiner appears to be stating that even though the cited prior art process includes additional steps in between the claimed steps, the references, nevertheless render the claims obvious because one skilled in the art *could have* combined the elements as claimed by known methods and that, in combination, each element would have performed the same function as it did separately. This approach is erroneous as the Examiner is merely concluding that the claimed invention is obvious by demonstrating that each of the elements is independently known in the prior art. This approach fails to consider the actual teachings of the references and whether there is, in fact, an actual reason for combining the two references.

Claims 1 and 7 are both related to a method wherein before feeding dewatered pulp into a pulp flaker, the pulp is leveled to produce a substantially even quantity of pulp mass flow so that the flow to the pulp flaker is generally constant. In rejecting the claims, the Examiner mentions

that Vrbanac discloses pulp distribution onto a belt conveyor and a chute and a rotary distributor for leveling the pulp. The problem with the Examiner's analysis is that Vrbanac discloses that the chute and belt conveyor 100 are located *after* the pulp flaker and the pulp dryer. As for the rotary distributor, applicants assume that the Examiner is referring to the rotary airlock 60, which only compounds the problem because the rotary airlock 60 is not even close to the chute or belt conveyor 110. Without any adequate explanation or apparent reason to rearrange the components that are taught in Vrbanac, the Examiner finds Claims 1 and 7 obvious based on the open ended nature of the claims and that one of ordinary skill *could have* combined the elements by known methods and that each element in combination would have performed the same function as it did separately. This explanation is inadequate to render the claims obvious for the following reasons.

The claims being open ended does not mean that express limitations in the claims should be ignored. Claim 1, for example, recites depositing dewatered pulp from a shaftless screw conveyor to a moving belt conveyor, thereby forming uneven quantities of pulp along a length of belt conveyor. The conveyor 110 in Vrbanac, however, is remote from the shaftless screw conveyor 44, and no explanation or reason is given why it should be moved after the screw conveyor 44 and before the rotary airlock 60. The conveyor 110 is *vacuum* conveyor used to separate fines from fibers. How or why it makes sense to put a vacuum conveyor for separating fines before the pulp is even dried by the jet drier 20 is beyond all comprehension. Claim 1 also recites leveling the uneven quantities of pulp to produce a substantially even quantity of pulp along a length of the belt conveyor. Nothing in Vrbanac even remotely discloses this. The Examiner is either suggesting one could move the conveyor 110 after the rotary airlock 60 or move the rotary airlock 60 before the belt conveyor 110. Either way presents a problem. First, since the Examiner views the rotary airlock 60 as the means to accomplish leveling, putting the belt conveyor 110 after the airlock 60 eliminates any possibility that the rotary airlock 60 can

also be the *pulp flaker* that is required by the step of feeding a substantially even quantity of pulp per unit time from the belt conveyor to a pulp flaker. The contradiction that the rotary airlock 60 is viewed as both the means for leveling and the pulp flaker is apparently not troubling to the Examiner. On the other hand, moving the rotary airlock 60 before the belt conveyor 110 means that the step of feeding a substantially even quantity of pulp per unit time from the belt conveyor to a pulp flaker is ignored, since Vrbanac discloses that the pulp from the belt conveyor 110 travels to a fiber collection station 160 (for baling) and not to a pulp flaker.

Similarly, Claim 7 recites conveying and mixing dewatered pulp resulting in an uneven mass flow of pulp, followed by leveling the uneven mass flow of pulp to produce a substantially even rate of mass flow of pulp, and, thereafter, depositing the pulp in a substantially even rate of mass flow into a pulp flaker. As discussed above in relation to Claim 1, there is simply no adequate reason why one skilled in the art would be led to the method of either Claim 1 or Claim 7, wherein pulp is leveled before being fed into a pulp flaker from the disclosures of Dezutter and Vrbanac.

Accordingly, the withdrawal of the rejection of Claims 1-14 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, applicants submit that Claims 1-14 are in condition for allowance. If the Examiner has any further questions or comments, the Examiner may contact the applicants' attorney at the number provided below.

Respectfully submitted,

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